THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

-

WRIT PETITION No.15964 OF 2005

Dt. 27.7.2005

Between:

1. Nimmaka Janakamma and others. .. Petitioners.

And

1. The Station House Officer, Crime Branch,

Veeraghattam Rural Police Station, Srikakulam District and another.

.. Respondents.

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THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

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-

WRIT PETITION No.15964 OF 2005

ORDER: (per the Hon'ble Smt.Justice T.Meena Kumari)

This is a taken up Writ Petition on the basis of a petition dated 12.07.2005 sent by the petitioners praying this Court to direct the respondents herein to produce Nimmaka Sambaiah, Cherukubilli Krishna, Nimmaka Sridhar, Cherukubilli Appalaswamy, husbands of the petitioners herein respectively and also Nimmaka

Ganapathi member of the petitioners family before this Court who were illegally taken away by the Circle Inspector of Police, Crime Branch, Srikakulam District on 16.06.2005 and set them at liberty forthwith.

Today, when the matter is taken up for admission, a counter-affidavit is filed by the first respondent-Station House Officer, Veeraghattam Police Station, Srikakulam District stating that the alleged detenus 2 to 4 were arrested on 18/19.07.2005 in relation to temple theft pursuant to the complaint given by one Mr.G.Rana Pratap, resident of Waltheru, Santhakaviti Mandal to the police stating that on the intervening night of 6/7.7.2004, some unknown offenders gained entrance into the goddess Santhoshimatha Temple, Waltheru Village and committed theft of gold and silver ornaments. It is also stated that alleged detenu No.1 is not wanted in any case pending with the Police Station and that detenu No.1 has also been informed about the arrest of detenus 2 to 4, which was acknowledged by the 1st detenu and that itself reveals that detenu No.1 is moving freely. It is further stated that detenus 2 to 4 were produced before the Judicial First class Magistrate, Rajam on the same day and they were remanded to the judicial custody and are presently lodged in sub-Jail, Pakakonda.

Recording the above statement, the Writ Petition is dismissed. But, however, the petitioners are given opportunity to move the appropriate Court for release of the said detenus on bail in accordance with law, if they so desire.

(T.MEENA KUMARI, J)

(P.LAKSHMANA REDDY, J)

Dt: 27.07.2005

bsv/lvl